

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Deondre Casey,

Plaintiff,

v.

Ivan Reed et al.,

Defendants.

Civil Action No. 22-12604

Honorable Jonathan J.C. Grey
Magistrate Judge Patricia T. Morris

**ORDER ADOPTING REPORTS AND
RECOMMENDATIONS (ECF No. 53, 55)**

On October 31, 2022, Deondre Casey filed this 42 U.S.C. § 1983 prisoner civil rights suit pro se against Michigan Department of Corrections (“MDOC”) official Ivan Reed. Casey amended his complaint on June 10, 2023¹ to add claims against “Collrin” and an unknown John Doe. “Collrin” referred to MDOC official Timothy Collrin. Casey claims the defendants violated his Eighth Amendment rights by assaulting Casey while he was incarcerated. Casey also brings state law claims for assault, battery, and negligence. All pretrial matters were referred to

¹ Casey’s amended complaint was attached as an exhibit to his motion to amend. (ECF No. 19.) When Judge Morris granted the motion to amend, she accepted the amended complaint as filed the day that the order issued. (ECF No. 25.)

United States Magistrate Judge Patricia T. Morris under 28 U.S.C. § 636(b).

On November 30, 2023, Collrin filed a motion for summary judgment on the basis of exhaustion. (ECF No. 38.) Judge Morris issued a report and recommendation on February 28, 2024, recommending that the Court grant Collrin's motion and dismiss Collrin from the case. (ECF No. 48.) Casey did not object to the report and recommendation. On April 29, 2024, the Court adopted the recommendation and dismissed the claims again Collrin. (ECF No. 51.)

On February 21, 2024, Reed filed a motion for summary judgment, which was made on similar grounds as Collrin's motion—failure to exhaust state law remedies. (ECF No. 46.) On May 16, 2024, Judge Morris filed a report and recommendation recommending that the Court grant Reed's motion for summary judgement. (ECF No. 53.) After Casey failed to respond to Judge Morris' order to identify John Doe defendant (ECF No. 54), on July 10, 2024, Judge Morris filed a report and recommendation to dismiss any claims against the John Doe defendant. (ECF No. 55.) Casey did not object to either report and recommendation.

A party may object to any specified portion, proposed findings, or recommendation in the magistrate judge's report. 28 U.S.C. § 636(b)(1). For any specific objection, the district judge is to make a de novo determination of the issue. *Id.* The district judge may accept, reject, or modify, in whole or in part, any findings or recommendations. *Id.*

When no objection is made, the district judge may sua sponte review the report and recommendation, *Thomas v. Arn*, 474 U.S 140, 154 (1985); however, there is no obligation to independently review the report and recommendation. *Hall v. Chapman*, 627 F. Supp. 3d 804, 806 (E.D. Mich. 2022) (citing *Thomas* 474 U.S. at 149–52). Under sua sponte review, with no objection, the district judge may use a “de novo or any other standard.” *Thomas*, 474 U.S. at 154.

After reviewing both reports and recommendations, the Court finds that they are well-reasoned and supported by the applicable law.

The Court **ADOPTS** Judge Morris' reports and recommendations. (ECF Nos. 53, 55.) The Court **GRANTS** Reed's motion for summary judgment. (ECF No. 46.) The Court **DISMISSES WITHOUT PREJUDICE** Casey's claims against Reed. Further, the Court **DISMISSES WITHOUT PREJUDICE** all claims against the John Doe

defendant. As there are no other remaining claims, this case is
DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

Date: August 21, 2024

s/ Jonathan J.C. Grey
Jonathan J.C. Grey
United States District Judge

Certificate of Service

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 21, 2024.

s/ S. Osorio
Sandra Osorio
Case Manager